

RESULTS OF INVESTIGATION: Analysis showed that the article was undergoing chemical decomposition.

LIBELED: On or about 7-8-64, N. Dist. Fla.

CHARGE: 402(a) (3)—contained a decomposed substance when shipped.

DISPOSITION: 9-1-64. Default—destruction.

29685. Tomato catsup. (F.D.C. No. 50094. S. No. 42-314 A.)

QUANTITY: 65 cases, each containing 24 1-lb. 15-oz. cans, at Idaho Falls, Idaho.

SHIPPED: 3-27-64, from Ogden, Utah, by Utah Packers, Inc.

LABEL IN PART: (Can) "Pierce's Tomato Catsup * * * Distributed by Utah Packers, Inc. Ogden Utah."

LIBELED: 5-26-64, Dist. Idaho.

CHARGE: 402(a) (3)—contained decomposed tomato material when shipped.

DISPOSITION: 6-24-64. Default—destruction.

SPICES, FLAVORS, AND SEASONING MATERIALS*

29686. Mayonette dressing and Frenchette dressing. (F.D.C. No. 44927. S. Nos. 32-629 R, 36-049 R.)

QUANTITY: 20 cases, each containing 12 13-oz. jars of Mayonette dressing, and 31 cases, each containing 24 6-oz. btl., of Frenchette dressing, at Jamaica, N.Y.

SHIPPED: Between 6-29-60 and 8-18-60, from Jersey City, N.J. by Frenchette, Div. of Carter Products, Inc.

LABEL IN PART: (Jar) "Mayonette Low Calorie Replacement for Whip Salad Dressing and Mayonnaise * * * Only 8 Calories in a Full Tsp. * * * The Frenchette Div. of Carter Products, Inc. N.Y. Dist." (paper collar on jar) "80% LESS CALORIES than mayonnaise * * * Also Try Frenchette all the superb flavor of finest French Dressing * * * Italianette all the tangy flavor of real Italian Dressing," (btl.) "Non-Fattening FRENCHETTE Brand Dressing for Salads * * * Approx. 1 Calorie per Tablespoon * * * The Frenchette Div. of Carter Products, Inc., N.Y. Dis." (paper collar on btl.) "Approx. 1 Calorie per tablespoon Regular Dressing 60 Calories Per Spoon * * * Also Try Low Calorie Italianette and Mayonette."

RESULTS OF INVESTIGATION: Examination of the articles showed that the Mayonette dressing was a pale, pasty, semisolid with a taste, odor, and general appearance similar to mayonnaise, and that it contained approximately 13.5% fat by weight; and that the Frenchette dressing was a viscous, orange-colored liquid with a strong aroma of vinegar and paprika, similar in appearance to emulsified french dressing, and that it contained 0.35% fat by weight.

LIBELED: 10-13-60, E. Dist. N.Y.

CHARGE: Mayonette: 403(a)—the name of the article, "Mayonette Low Calorie" and the declaration "Whip Salad Dressing and Mayonnaise," were misleading in that they suggested and implied that the article was a low calorie mayonnaise which it was not; 403(a)—the label statements "Frenchette superb flavor of finest French Dressing," and "Italianette all the tangy flavor of real Italian Dressing," contained false and misleading representations that "Frenchette" was french dressing and "Italianette" was italian dressing;

*See also No. 29635.